

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

Jasvir Singh Sidhu, M.D.)

Case No. 800-2015-018603

**Physician's and Surgeon's)
Certificate No. A 40914)**

Respondent)

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 22, 2019.

IT IS SO ORDERED July 23, 2019.

MEDICAL BOARD OF CALIFORNIA

By: _____



**Kristina D. Lawson, J.D., Chair
Panel B**

1 XAVIER BECERRA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 JANNSEN TAN
Deputy Attorney General
4 State Bar No. 237826
1300 I Street, Suite 125
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6 Telephone: (916) 210-7549
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7 Attorneys for Complainant

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

14 **JASVIR SINGH SIDHU, M.D.**
15 **590 W Putnam Avenue Suite 9**
Porterville, CA 93257

16 **Physician's and Surgeon's Certificate No. A**
17 **40914**

18 Respondent.

Case No. 800-2015-018603

OAH No. 2018110633

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPRIMAND

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20
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
25 of California (Board). She brought this action solely in her official capacity and is represented in
26 this matter by Xavier Becerra, Attorney General of the State of California, by Jannsen Tan,
27 Deputy Attorney General.

28 ///

2. Respondent Jasvir Singh Sidhu, M.D. (Respondent) is represented in this proceeding by attorney Dennis R. Thelen, Esq., whose address is: P.O. Box 12092, Bakersfield, CA 93389-2092

3. On or about June 18, 1984, the Board issued Physician's and Surgeon's Certificate No. A 40914 to Jasvir Singh Sidhu, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2015-018603, and will expire on May 31, 2020, unless renewed.

JURISDICTION

4. Accusation No. 800-2015-018603 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on September 11, 2019. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2015-018603 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2015-018603. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Accusation
3 No. 800-2015-018603, if proven at a hearing, constitute cause for imposing discipline upon his
4 Physician's and Surgeon's Certificate.

5 10. For the purpose of resolving the Accusation without the expense and uncertainty of
6 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
7 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest
8 those charges.

9 11. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
10 discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
11 Disciplinary Order below.

12 **RESERVATION**

13 12. The admissions made by Respondent herein are only for the purposes of this
14 proceeding, or any other proceedings in which the Medical Board of California or other
15 professional licensing agency is involved, and shall not be admissible in any other criminal or
16 civil proceeding.

17 **CONTINGENCY**

18 13. The parties agree that this Stipulated Settlement and Disciplinary Order for Public
19 Reprimand shall be submitted to the Board for its consideration in the above-entitled matter and,
20 further, that the Board shall have a reasonable period of time in which to consider and act on this
21 Stipulation after receiving it. Respondent acknowledges that he shall not be permitted to
22 withdraw from this Stipulation unless it is rejected by the Board.

23 14. The parties agree that this Stipulated Settlement and Disciplinary Order for Public
24 Reprimand shall be null and void and not binding upon the parties unless approved and adopted
25 by the Board, except for this paragraph, which shall remain in full force and effect. Respondent
26 fully understands and agrees that in deciding whether or not to approve and adopt this Stipulation,
27 the Board may receive oral and written communications from its staff and/or the Attorney
28 General's office. Communications pursuant to this paragraph shall not disqualify the Board, any

1 member thereof, and/or any other person from future participation in this or any other matter
2 affecting or involving Respondent. In the event that the Board, in its discretion, does not approve
3 and adopt this Stipulation, with the exception of this paragraph, it shall not become effective,
4 shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any
5 disciplinary action by either party hereto. Respondent further agrees that should the Board reject
6 this Stipulation for any reason, Respondent will assert no claim that the Board, or any member
7 thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulation
8 or of any matter or matters related hereto. Respondent acknowledges that the Board shall not be
9 disqualified from further action in this matter by virtue of its consideration of this matter.

10 **ADDITIONAL PROVISIONS**

11 15. This Stipulated Settlement and Disciplinary Order for Public Reprimand is intended
12 by the parties herein to be an integrated writing representing the complete, final and exclusive
13 embodiment of the agreements of the parties in the above-entitled matter.

14 16. The parties agree that facsimile copies of this Stipulated Settlement and Disciplinary
15 Order for Public Reprimand, including facsimile signatures of the parties, may be used in lieu of
16 original documents and signatures and, further, that facsimile copies and signatures shall have the
17 same force and effect as originals.

18 17. In consideration of the foregoing admissions and stipulations, the parties agree the
19 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
20 the following Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 **A. PUBLIC REPRIMAND**

23 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No A 40914 issued
24 to Respondent Jasvir Singh Sidhu, M.D. shall be and hereby is publicly reprimanded pursuant to
25 Business and Professions Code section 2227, subdivision (a)(4), as follows: "You failed to
26 adequately document a neurological exam, laboratory and diagnostic testing, and lumbar
27 puncture."
28

1 **B. EDUCATION COURSE**

2 Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in an
3 educational program(s) or course(s) approved in advance by the Board or its designee, which
4 shall not be less than 40 hours. The educational program(s) or course(s) shall be aimed at
5 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
6 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
7 the Continuing Medical Education (CME) requirements for renewal of licensure. Respondent
8 shall provide proof of attendance for 65 hours of CME of which 40 hours were in satisfaction of
9 this condition. Respondent shall submit a certification of successful completion to the Board or
10 its designee not later than 15 calendar days after successfully completing the course, or not later
11 than 15 calendar days after the effective date of the Decision, whichever is later. Any violation of
12 this condition or failure to complete the course shall be considered unprofessional conduct and
13 grounds for further disciplinary action.

14 **C. MEDICAL RECORD KEEPING COURSE**

15 Within 60 calendar days of the effective date of this Decision, respondent shall enroll in a
16 course in medical record keeping approved in advance by the Board or its designee. Respondent
17 shall provide the approved course provider with any information and documents that the approved
18 course provider may deem pertinent. Respondent shall participate in and successfully complete
19 the classroom component of the course not later than six (6) months after respondent's initial
20 enrollment. Respondent shall successfully complete any other component of the course within
21 one (1) year of enrollment. The medical record keeping course shall be at respondent's expense
22 and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of
23 licensure.

24 A medical record keeping course taken after the acts that gave rise to the charges in the
25 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
26 or its designee, be accepted toward the fulfillment of this condition if the course would have been
27 approved by the Board or its designee had the course been taken after the effective date of the
28 Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later. Any violation of this condition or failure to complete the course shall be considered unprofessional conduct and grounds for further disciplinary action.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Dennis R. Thelen, Esq.. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED:

5/3/19



JASVIR SINGH SIDHU, M.D.
Respondent

I have read and fully discussed with Respondent Jasvir Singh Sidhu, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

5-3-19



DENNIS R. THELEN, ESQ.
Attorney for Respondent

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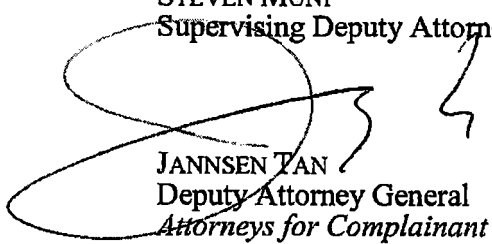
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 5/3/2019

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
STEVEN MUNI
Supervising Deputy Attorney General



JANNSEN TAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2015-018603

1 XAVIER BECERRA
Attorney General of California
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8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Sept 11 20 18
BY SPR/Deputy Analyst

9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 800-2015-018603

15 **Jasvir Singh Sidhu, M.D.**
16 **590 W Putnam Avenue Suite 9**
17 **Porterville, CA 93257**

A C C U S A T I O N

18 **Physician's and Surgeon's Certificate**
19 **No. A 40914,**

20 **Respondent.**

21 **Complainant alleges:**

PARTIES

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On or about June 18, 1984, the Medical Board issued Physician's and Surgeon's
26 Certificate No. A 40914 to Jasvir Singh Sidhu, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on May 31, 2020, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 2234 of the Code, states:

“The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

“(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

“(b) Gross negligence.

“(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.

“(1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

“(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee’s conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

“...”

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6. Section 2266 of the Code states: "The failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct."

FIRST CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

7. Respondent is subject to disciplinary action under section 2234, subdivision (c) of the code, in that he was repeatedly negligent in his care and treatment of patient A. The circumstances are as follows:

8. On or about March 11, 2015, patient A¹, a 41-year-old female, presented to the Emergency Room at Sierra View Hospital, in an altered mental state to the point where she could not give a medical history. The patient had a history of alcohol abuse, alcoholism requiring two rehabilitation courses in the past, and had been drinking on the day of her admission to the ER. Respondent was responsible for the care and treatment of patient A. No neurological examination was performed. Respondent examined patient A, which showed the patient to be tachycardic, (fast heart rate), tachypnea, (rapid breathing). Respondent's findings were also consistent with end stage liver disease. Respondent diagnosed the patient with hepatic encephalopathy (a buildup of toxins in the brain caused by liver disease).

9. The patient's laboratory evaluation showed several abnormalities including very elevated ammonia level, macrocytic anemia, thrombocytopenia (a low platelet count), and elevated coagulation measures. The patient had no fever, no elevated white blood count, and no evident source of infection other than a positive nitrite test on her urinalysis. A urine drug screen of the patient showed opiates. The patient's glucose was also elevated at 243. Respondent did not order that an acetaminophen level be taken as part of the lab tests. Patient A was given some intravenous fluids, multivitamins, thiamine and folate and admitted to a monitored bed.

10. On or about March 11, 2015, patient A developed a fever of 101 F. During the day of March 12, 2015, the patient had a generalized tonic/clonic seizure. Gastroenterology was

¹ The patient's identity will be disclosed during discovery.

1 consulted and the patient was placed on the intravenous antibiotic ceftriaxone. Respondent did
2 not order a lumbar puncture or an abdominal ultrasound.

3 11. On or about March 13, 2015, a neurology consultation was obtained. An EEG was
4 ordered. A urine culture from patient A returned with E. Coli, which was pan-sensitive including
5 to the ceftriaxone that patient A was started on the previous day. Patient A's ammonia level was
6 not decreasing and the lactulose dose was increased.

7 12. On or about March 14, 2015, patient A was comatose and was intubated to protect her
8 airway. Patient A remained tachycardic and tachypnea and her white blood count increase to
9 almost 17 k.

10 13. On or about March 15, 2015, patient A was still comatose and a discussion
11 commenced between respondent and other patient care staff about transferring patient A to
12 Summit Hospital, which has a higher level of care.

13 14. On or about March 21, 2015, patient A was transferred to Summit Hospital and
14 despite further medical efforts, the patient was determined to be brain dead and expired.

15 15. Respondent committed repeated negligent acts in his care and treatment of patient A
16 which included, but were not limited to the following:

17 a. Respondent's failure to perform and document a detailed neurologic
18 examination on patient A on admission is a simple departure from the standard of care.

19 b. Respondent's failure to not obtain a lumbar puncture after patient A developed
20 a fever and a seizure, particularly in light of the patient's severe encephalopathy of unknown
21 cause, is a simple departure from the standard of care.

22 c. Respondent's failure to order an abdominal ultrasound upon the patient's
23 admission or within a twenty-four-hour period, after admission, to assess for ascites and to
24 examine the liver, gallbladder, pancreas and other structures is a simple departure from the
25 standard of care.

26 d. Respondent's failure to order an acetaminophen level on admission when
27 patient A presenting with hepatic failure, to rule out this liver toxin is a simple departure from the
28 standard of care.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Inaccurate and Inadequate Records)**

3 16. Respondent is subject to disciplinary action under section 2266 in that he failed to
4 maintain adequate and accurate records in his care and treatment of patient A. Paragraphs 8
5 through 15, above, are hereby incorporated by reference and realleged as if fully set forth herein.
6 The circumstances are as follows:

7 17. On or about March 11, 2015 respondent failed to conduct a detailed neurologic
8 examination on patient A at admission and/or failed to record such examination.

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Medical Board of California issue a decision:

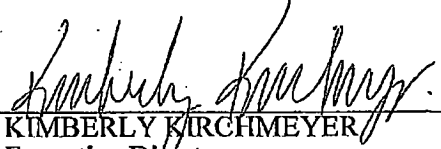
12 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 40914, issued
13 to Jasvir Singh Sidhu, M.D.;

14 2. Revoking, suspending or denying approval of Jasvir Singh Sidhu, M.D.'s authority to
15 supervise physician assistants and advanced practice nurses;

16 3. Ordering Jasvir Singh Sidhu, M.D., if placed on probation, to pay the Board the costs
17 of probation monitoring; and

18 4. Taking such other and further action as deemed necessary and proper.

19
20 DATED: September 11, 2018


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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